

**REMARKS**

**Inventorship**

The Office Action states that the application currently names joint inventors. Office Action, page 2, section 2. Applicant notes that this statement is incorrect and that only one inventor, Travis J. Parry, is named.

**Claim Rejections Under 35 U.S.C. § 103**

**Claim 1**

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wei et al. (U.S. Patent No. 6,515,967 B1) in view of Carusone, Jr. et al. (U.S. Patent No. 5,157,667). Applicant respectfully traverses.

Claim 1 recites, in part, “when an error occurs at a first device of the plurality of devices, compiling error information about the error into a first error file and transmitting the first error file to a second device of the plurality of devices,” “when an error occurs at the second device, compiling error information about the error into a second error file” and “compiling the first and second error files into a master error file.” Applicant contends that Wei et al. purports to collect error files from its test receivers and transmit them to a test monitoring device. *See, e.g.*, Wei et al., column 3, lines 21-25 (“[A] multicast routing infrastructure includes a test monitoring device, one or more test source devices, and multiple test receiving devices. The test monitoring device transmits test configuration data packets to potential test senders and test receivers, and collects fault information from test receivers.”). Thus, as applied in the rejection, Wei et al.’s test receivers must correspond to Applicant’s first device and Wei et al.’s test monitoring device must correspond to Applicant’s second device. However, there is no teaching or suggestion that Wei et al.’s test monitoring device can function as a test receiver, or that it is adapted to otherwise generate error files on its own errors. Thus, while Applicant accepts that Carusone, Jr. et al. does describe combining error reports, Applicant contends there is no teaching or suggestion in the cited references, either alone or in combination, that a second device both receives an error file from a first device and compiles its own error file. Furthermore, there is no teaching or suggestion, either alone or in combination, that these two error files are then compiled into a master error file.

In view of the foregoing, Applicant contends that the cited references, either alone or in combination, fail to teach or suggest each and every limitation of Applicant’s claim 1.

Applicant thus respectfully submits that claim 1 is patentably distinct from the cited references. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claim 1.

#### Claims 2-8

Claims 2-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wei et al. in view of Carusone, Jr. et al. and further in view of Ochiai (U.S. Patent App. Pub. No. US 2001/0011358 A1). Applicant respectfully traverses.

Applicant contends that it has shown claim 1 to be patentably distinct from the primary and secondary references of Wei et al. and Carusone, Jr. et al., either alone or in combination. The tertiary reference of Ochiai fails to overcome the deficiency of the primary and secondary references. Applicant thus contends that claim 1 is patentably distinct from the cited references, either alone or in combination. As claims 2-8 depend from claim 1 and include all patentable limitations of claim 1, these claims are also believed to be allowable.

Applicant notes that the Office Action asserts that Ochiai discloses a fault handling system that determines the fault class information indicating a degree of seriousness of the fault detected. However, the fault class information of Ochiai does not correspond to the term “class error” as used by Applicant in its Specification and claims. *See*, Specification, paragraph 0014 (“Class errors include one or more of a user determined number of errors experienced by one or more of multiple devices in a system, a user determined number of a particular error experienced by one or more of multiple devices in a system, the occurrence of a defined number of errors within a defined time frame, or the like.”); *Cf.* Ochiai, paragraph 0071 (“The fault class information 102 indicates how serious the detected fault is or the degree of seriousness of the detected fault. The degree of seriousness may indicate that the detected fault is operation-log like information, a type of fault occurring only temporarily, a type of fault occurring in a continuous manner, or a type of fault causing the system operation to stop.”). Accordingly, Applicant contends that Ochiai does not teach or suggest determining that a class error exists as that term is defined and used by Applicant.

In view of the foregoing, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claims 2-8.

Claim 9

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wei et al. in view of Carusone, Jr. et al.. Applicant respectfully traverses.

Claim 9 recites, in part, “at least two imaging devices in communication with the each other, wherein one of the at least two imaging devices is a master device” and “wherein the master device is adapted to collect and store error information from the at least two imaging devices and to detect class errors based on the collected error information.” Applicant contends that Wei et al. purports to use difference devices for generating error files than it uses to collect and store that error information, neither of which is taught or suggested to be an imaging device. *See, e.g.*, Wei et al., column 3, lines 23-25 (“The test monitoring device transmits test configuration data packets to potential test senders and test receivers, and collects fault information from test receivers.”); *Id.* at Abstract (“A method and system for detecting faults in data packet routing devices in a computer network capable of routing messages using a multicast protocol is described. Faults in devices, such as routers and switches, are detected in near real-time when using a multicast routing infrastructure by configuring a device to be a sender or source of test data packets and one or more other devices to receive test data packets.”). Thus, Wei et al. does not teach or suggest that its test receivers or test monitoring device are imaging devices. Furthermore, Wei et al. does not teach or suggest that its test monitoring device is adapted to both collect error information from other like devices and generate error information on its own errors. The secondary reference of Carusone, Jr. et al. fails to overcome at least these deficiencies of the primary reference.

In view of the foregoing, Applicant contends that the cited references, either alone or in combination, fail to teach or suggest each and every limitation of Applicant’s claim 9. Applicant thus respectfully submits that claim 9 is patentably distinct from the cited references. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claim 9.

Claims 10-14

Claims 10-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wei et al. in view of Carusone, Jr. et al. and further in view of Ochiai. Applicant respectfully traverses.

Applicant contends that it has shown claim 9 to be patentably distinct from the primary and secondary references of Wei et al. and Carusone, Jr. et al., either alone or in combination. The tertiary reference of Ochiai fails to overcome the deficiency of the primary and secondary references. Applicant thus contends that claim 9 is patentably distinct from the cited references, either alone or in combination. As claims 10-14 depend from claim 9 and include all patentable limitations of claim 9, these claims are also believed to be allowable.

In view of the foregoing, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claims 10-14.

#### Claims 15-20

Claims 15-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wei et al. in view of Carusone, Jr. et al. and further in view of Ochiai. Applicant respectfully traverses.

Claim 15, as amended, recites in part, “communicating between a plurality of devices, wherein one of the plurality of devices is a master device comprising the processor for performing the method,” “compiling error information from at least two of the plurality of devices into a master error file, wherein one of the at least two devices is the master device,” and “determining if a class error exists amongst two or more of the plurality of devices based on the error information.” As noted with respect to claims 1-14, the cited references, either alone or in combination, fail to teach or suggest that the device compiling error information from two or more devices into a master error file is one of the devices supplying error information. As such, they cannot teach or suggest each and every limitation of claim 15. As claims 16-20 depend from claim 15 and include all patentable limitations of claim 15, these claims are also believed to be allowable.

In view of the foregoing, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claims 15-20.

**CONCLUSION**

Claim 15 is amended herein. Claims 1-20 are pending.

Applicant believes that all of the pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2204.

Respectfully submitted,

Date: 29 Oct 04

  
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